

LEPC Meeting Minutes March 17, 2011

Attendance and introductions

January 20, 2011 Minutes

January 20, 2011 minute were approved and distributed.

Marsulex Presentation

Marsulex Scrubber Project Air Emission Improvements was presented to LEPC. Representative reported that that will have a noticeable white plume out of the stack. To assist with notification to the public, an article in the March Toledo Press was offered.

Old Business

Ryan reported that 99 responders attended the HazMat IQ training. HazMat IQ would possibly be offered later this year. Special Ops is in the process of setting up training for 9 days during April or May. Bowling Green Fire School has funds through a PUCO grant that they could possibly offer a 16 hour course or 8 hour for police. Bowling Green Fire School and Ryan are waiting on a decision by PUCO.

Sub-Committee Reports

Executive Committee: Tony reported on the status of the OEEF grant. More information will be shared during the finance committee report.

Tony suggested that LEPC put a plan together on how we operate for subcommittee chairs. Tim from Benchmark will work on drafting a plan.

Training: Chief Jaksetic reported that they are working to use MMRS funds to offer HazMAT IQ training for all officers and departments.

Mike Gerber reported that one facility workshop was cancelled due to weather and the other two workshops were conducted. Tony Sloma commented that we saw few late Tier II reports this year compared with the past.

Mike Gerber reported that the Wildlife training will be offered at Ottawa Wildlife Refuge. About 55 people are registered for the 4 hour course. This is the OSHA portion of the training. Chief Jaksetic mentioned that the Disaster Animal Response Team (DART) has a trailer with equipment that is kept at the TFD fire shop. The trailer has been used twice with pre-staging during natural disasters.

Exercise: Kelvin Davis reported that plans are underway for the tabletop exercise on May 26th. Registration will begin at 8am, in the Lucas County Training Center on Jefferson, and the exercise will start at 8:30-12 noon. Three objectives need to be addressed: Shelter Management, Population,

and Protective Actions Emergency Medical Services. The next meeting is scheduled for March 22nd at 10:00 at Lucas County EMA.

Finance: Report attached.

OEEF grant was applied for by the public information subcommittee. The state is not ready to move forward on a statewide 30-day reporting system. A suggestion was made to meet our goals for electronic reporting using a PDF. It has been recommended that LEPC turn back the OEEF funds. This will not affect the budget. Ryan Grant made a motion that we return the \$45,000 to OEEF and decline the \$5,000. Kathy seconded the motion. Motion passed. Ryan Grant made a motion to increase the appropriation for the Contract Projects line item (512180) from \$30,000 to \$45,000 to cover costs to pay back grant. The motion was seconded by Joe Walter. Motion passed.

Grants: Mike Frey reported that LEPC has received a \$15,040 HMEP grant award with LEPC match of \$3,760 totaling \$18,800. The first quarter reimbursement has been sent.

Plan review: Mike Frey reported that he and Chief Van Dromme attended a workshop presented by OEMA. He is happy with our direction of the plan and used our plan as a good example. At the workshop the Attorney General reported that the SERC will cut funding if the plan is not concurred with. LEPC will be turning in a plan this year.

Information Coordinator: Joe Walter reported that we have been getting a number of Tier II reports.

Emergency Coordinator: Michelle Hughes-Tucker reported that she is going through spill reports.

Public Relations: Kathy Silvestri reported that they have a contract for eight full page ads. The papers will include the Toledo Free Press and The Mirror. Any facility that would like to be featured with any topic contact Kathy. It was suggested that KTLCB information would be a good idea for spring with people cleaning. A previous article on this topic was produced. Information will have to be checked with KTLCB prior to going to print. All past articles are available on the LEPC website.

Compliance Committee: See attached report

New business

Chief Jaksetic reported that the fire chief was approached by a company selling Tier II manager. The state has a similar system.

Mike Gerber reported that an ethanol derailment occurred in Arcadia. They have been approached by Massachusetts concerning a guidance document. Mike reported that one thing that was not on scene was a temperature gun. The temperature guns for Lucas County are on order.

Meeting was adjourned. The next LEPC meeting will be at 12:15 p.m. on May 19, 2011 in the third floor conference room of the Lucas County Emergency Services Building.

Minutes Submitted by: Patekka Pope-Bannister

Patekka Pope-Bannister
May 19, 2011

Compliance Report

2010 Late Tier II

<u>Facility</u>	<u># of offenses</u>	<u>Days Late</u>	<u>Penalty - Voluntary</u>	<u>Status</u>
Amerigas Propane	5	22	\$2,616.50	Paid LEPC counter (50% reduction)

2010 Late Spill Cases

<u>Entity</u>	<u>Non-compliance</u>	<u>Proposed Penalty</u>	<u>Status</u>	<u>Recommend</u>	<u>Motion to accept recommendation</u>
American Youth for Christ	Late 30-minute and 30-day spill report of oil to water, sewer and soil from Alexis Road facility.	\$17,228 w/ 50% reduction if docs by 12/31/2010	No response to documentation request, possible penalty reduction	Refer to Prosecutor	Perry 2 nd Motion to accept. 3 abstain (Gerber/Tucker /
920 Illinois Ave	Late 30-minute from oil spill, reached creek, oiled wildlife		Supplied phone records, called Michelle Tucker to fulfill County requirement	NFA	Walter 2 nd Motion to accept. 2 abstain (Gerber/Tucker) Passed
Toledo Edison	No 30-minute call	\$16,003	Requested penalty waiver under transportation incident exemption	Decline Waiver Request	Davis 2 nd Motion to accept. 1 abstain (Gerber) Passed

2011 Spill Report Cases

<u>Entity</u>	<u>Non-compliance</u>	<u>Proposed Penalty</u>	<u>Subcommittee recommendation</u>	<u>Motion to accept recommendation</u>
Holland Motor Freight	Voluntary late 30-minute report of 50+ gallons diesel fuel from 1/12/2011 incident	\$243 Late 30 Day \$243 Late 30 Min	Assess Penalty of \$486.00	Perry 2 nd Motion to accept. 1 abstain (Gerber) Passed
Total Metal Services	Late 30-day report from 50+ gallons diesel fuel from 1/7/2011	\$7,425	Assess Penalty of \$7,425.00	Walter 2 nd Motion to accept. Passed

Agriculture Exemption Past Penalty Refunds-Request for Refund-Late Tier II Reporting

<u>Entity</u>	<u>Penalty Assessed</u>	<u>Reason for Refund</u>	<u>Recommendation</u>	<u>Motion to accept recommendation</u>
Falor Farm Service	Total-\$426.30 2010 -\$368.30 2005-\$58.00	Claim exemption from Tier II based on being Agricultural Retail. Also claim to have been advised of status by OEPA.	Send letter verifying Exemption and/or proof of Ohio EPA stating the exemption.	Barnes: Motion to send letter to verify exemption and deny request for eliminating penalty assessment. Sloma 2 nd Motion to accept. 16 yes 1 No 0 abstain Passed
Berkey Farm Center	2004-\$700.00	Same exemption as above, entity has not requested refund but is subject to the same agriculture exemption	Not voted upon by subcommittee	No letter will be sent

Agriculture Exemption was discussed. Mike Frey read ORC 3750.01 for further guidance.

2011 Late Tier II

<u>Entity</u>	<u>Days Late</u>	<u>Number of Offenses</u>	<u>Penalty</u>	<u>Recommendation</u>	<u>Motion to accept recommendation</u>
Frontier Communications 3 Facilities	2	1	\$99.90 (\$33.30 each)	Assess Penalty	Barnes 2 nd Motion to accept. Passed
Lakefront Lines	7	2	\$155.20	Assess Penalty	Jaksetic 2 nd Motion to accept. Passed
Rimer Inc.	2	1	\$43.20	Assess Penalty	Walter 2 nd Motion to accept. Passed